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PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing  
OR  
☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	MBX 039
First Named Inventor	Frank A. Skraly
<b>COMPLETE IF KNOWN</b>	
Application Number	09 / 909,574
Filing Date	July 20, 2001
Group Art Unit	1645
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PRODUCTION OF POLYHYDROXYALKANOATES FROM POLYOLS

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 07/20/2001

as United States Application Number or PCT International

Application Number 09/909,574 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> — <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/219,995	07/21/2000	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

MBX 039

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☐ Customer Number or Bar Code Label  OR ☒ Correspondence address below

Name Patrea L. Pabst

Address 2000 One Atlantic Center

Address 1201 West Peachtree Street

City Atlanta State GA ZIP 30309-3400

Country USA Telephone 404-817-8473 Fax 404-817-8588

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name Frank A.  
(first and middle [if any])

Family Name Skraly  
or Surname

Inventor's  
Signature

Date 9/17/01

Residence: City Cambridge State MA Country USA Citizenship US

Mailing Address 156 Raymond Street

Mailing Address

City Cambridge State MA ZIP 02140 Country USA

NAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name Martha  
(first and middle [if any])

Family Name Sholl  
or Surname

Inventor's  
Signature

Date 9-17-01

Residence: City Haverhill State MA Country USA Citizenship US

Mailing Address 6 Dustin Street

Mailing Address

City Haverhill State MA ZIP 01832 Country USA

Additional inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

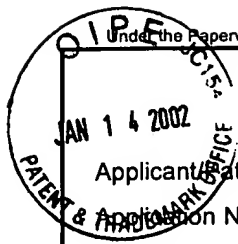
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PTO/SB/96 (08-00)

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Frank A. Skraly and Martha Sholl  
Application No./Patent No.: 09/909,574 Filed/Issue Date: July 20, 2001  
Entitled: PRODUCTION OF POLYHYDROXYALKANOATES FROM POLYOLS  
Metabolix, Inc., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

SEPTEMBER 17, 2001  
Date

OLIVER P. PEOPLES  
Typed or printed name  
[Signature]  
Signature  
VPR&D + C50  
Title

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MBX 039 077832J00081


## ASSIGNMENT

We, Frank A. Skraly of 156 Raymond Street, Cambridge, Massachusetts 02140, and Martha Sholl of 6 Dustin Street, Haverhill, Massachusetts 01832, in consideration of ten dollars and other valuable consideration paid to us by Metabolix, Inc., a corporation of the Commonwealth of Massachusetts, having its principal place of business at 303 Third Street, 2nd Floor, Cambridge, Massachusetts 02142-1196, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Metabolix, Inc., its successors and assigns, the entire interest for the United States of America, and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property, in a certain invention or improvement in "*Production of Polyhydroxyalkanoates from Polyols*" described in U.S. Serial No. 09/909,574 filed in the United States Patent and Trademark Office on July 20, 2001, by Frank A. Skraly and Martha Sholl, which claims priority to U.S. Provisional Application Serial No. 60/219,995 filed in the United States Patent and Trademark Office on July 21, 2000, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any provisional, divisional, continuation, continuation-in-part, reissue, or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns, but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation, and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

Title: "Production of Polyhydroxyalkanoates from Polyols"  
By: Frank A. Skraly and Martha Sholl  
U.S.S.N. 09/909,574  
Filed: July 20, 2001  
ASSIGNMENT

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand and seal this 17<sup>th</sup> day of September, 2001.

  
Frank A. Skraly

Commonwealth of Massachusetts )  
County of MIDDLESEX )

Then personally appeared the above named Frank A. Skraly and acknowledged the foregoing instrument to be his free act and deed, before me this 17<sup>th</sup> day of September, 2001.

  
Notary Public

MY COMMISSION EXPIRES  
JANUARY 24, 2008

My Commission expires: \_\_\_\_\_



Title: "Production of Polyhydroxyalkanoates from Polyols"  
By: Frank A. Skraly and Martha Sholl  
U.S.S.N. 09/909,574  
Filed: July 20, 2001  
ASSIGNMENT

WITNESS my hand and seal this 17<sup>th</sup> day of September, 2001.

Martha Sholl  
Martha Sholl

Commonwealth of Massachusetts )

County of Middlesex )

Then personally appeared the above named Martha Sholl and acknowledged the foregoing instrument to be her free act and deed, before me this 17<sup>th</sup> day of September, 2001.

MY COMMISSION EXPIRES  
JANUARY 24, 2008

Dan T. Scott  
Notary Public

My Commission expires: \_\_\_\_\_

ATL1 #478067 v1